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PTO/SB/21 (09-04)

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TRANSMITTAL FORM

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Total Number of Pages in This Submission

5

Application Number

10/758,187

Filing Date

January 15, 2004

First Named Inventor

Considine et al.

Art Unit

1621

Examiner Name

Davis, B.

Attorney Docket Number

AM-100171

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
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<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Customer No. 38199	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Express Mail No. EQ543971911US	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	HOWSON AND HOWSON		
Signature			
Printed name	Cathy A. Kodroff		
Date	May 1, 2006	Reg. No.	33,980

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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AM-100171

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/758,187 Confirmation No.: 5603
Applicant : Considine *et al.*
Filed : January 15, 2004
TC/A.U. : 1621
Examiner : Davis, B.
Customer No. : 38199
Title : SYNTHESIS OF 4-(AMINO)-2-BUTENOYL CHLORIDES AND
THEIR USE IN THE PREPARATION OF 3-CYANO QUINOLINES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Applicant submits to the Examiner the attached Form PTO/SB/08A/B document listing and this paper pursuant to 37 CFR § 1.56 and § 1.97-1.98. Form PTO/SB/08A/B is attached and copies of the documents are enclosed herewith. This Information Disclosure Statement is submitted after 3 months from the filing date of this application, but before the receipt of a first Office Action on the merits. Therefore, no fees are believed to be due.

The month of the publication for the Marszak *et al.* document could not be determined. The year of the publication for this document is sufficiently earlier than the effective US filing date and/or foreign priority date of the present application so that the particular month of publication of this document is not an issue (MPEP § 609.04(a)).

Express Mail No. EQ543971911US

REMARKS

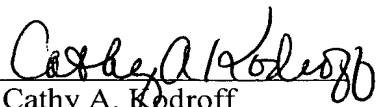
Enclosed with these papers is the "extended European search report" for European Patent Application No. 05019642.7, which is a related foreign application of the instant application. All but two of the documents, Marszak *et al.* and WO 2004/066919, were cited in a previous IDS. Marszak *et al.* was designated as an "X" document and is a foreign publication written in French that allegedly discloses "a compound which falls under the subject-matter of claim 1" in the European patent application. The document describes the synthesis of amino acids and compounds comprising $(\text{CH}_3)_2\text{N}-(\text{CH}_2)_n-\text{CH}=\text{CH}-\text{COOH}$, including $(\text{CH}_3)_2\text{N}-\text{CH}_2-\text{CH}=\text{CH}-\text{COOH}$. The WIPO document is designated as a "T" document and is the International Application corresponding to the instant application.

The Examiner is respectfully requested to consider the document(s) identified in this paper and in the attached Form PTO/SB/08A/B during the course of examination of this application

The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees to Deposit Account Number 08-3040.

Respectfully submitted,

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Attorneys for Applicant

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AM-100171

PTO/SB/08A (07-05)

Approved for use through 07/30/2006.

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/758,187
				Filing Date	January 15, 2004
				First Named Inventor	Considine
				Art Unit	1621
				Examiner Name	Davis, B.
Sheet	1	of	2	Attorney Docket Number	AM-100171

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-			
		US-			
		US-			
		US-			
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		US-			
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ -Kind Code ⁵ (if known)				
	K	WO 2004/066919 A	08-12-2004	Wyeth		

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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